

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

NOTICE OF EMERGENCY RESTORATION ACTIONS
FOR THE M/V VOGEL TRADER GROUNDING INCIDENT

Pursuant to 15 C.F.R. § 990.26

On February 5, 2010, the cargo vessel M/V VOGELTRADER ran aground near Barber's Point as it was transiting Honolulu Harbor. The grounding of the vessel, its subsequent movement, and response activities undertaken to remove the vessel and prevent an oil spill (collectively the "Incident") caused injuries to coral reef habitat

The impacted site is located on the southern edge of the Kalaeloa/Barber's Point entrance channel just inside the outer channel marker buoy in roughly 20 to 30 feet of water. The reef habitat is fairly typical of the area, comprising hard bottom colonized by a variety of lobate, branching, and encrusting type corals. Corals commonly found in the area include *Porites lobata*, *Pocillopora meandrina*, *Montipora capitata*, and *Pocillopora eydouxi*.

The federal and state natural resource Trustee agencies, in coordination with representatives of the vessel's owners (the Responsible Party or RP) have evaluated the grounding site and observed notable impacts from the grounding. These include the crushing, breaking, dislodging, or burying of many species of corals, including *Montipora capitata*, *Porites lobata*, *Pocillopora meandrina* and others, as well as sponges and other benthic invertebrates.

Officials of the National Oceanic and Atmospheric Administration (NOAA) and the Hawaii Department of Land and Natural Resources (DLNR) are designated, pursuant to section 1006(b) of the Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2706(b), as trustees ("Trustees") for natural resources harmed by this Incident. NOAA is serving as the Federal Lead Administrative Trustee (FLAT) for coordinating the natural resource damage assessment (NRDA) for the Incident.

Based on conditions revealed during on-site investigations, the Trustees determined "emergency restoration" actions, as defined in 15 C.F.R. § 990.26, are needed to reduce injuries to and prevent unnecessary future losses of injured resources. Emergency restoration is, therefore, being undertaken to accelerate reef recovery. This work was planned jointly by the Trustees and the RP and is being carried out by the RP, under oversight of the Trustees.

Trustees' Determinations Regarding Emergency Restoration

The Trustees made the following determinations pursuant to the OPA NRDA regulations at 15 C.F.R. § 990.26(a):

1. The emergency restoration actions described below are needed to avoid the irreversible loss of natural resources (i.e., coral) and to prevent and reduce additional damage to unimpacted coral reef areas when loose corals and rubble are mobilized during storms or large swells.
2. The emergency restoration actions were not undertaken by the lead response agency.
3. The emergency restoration actions are feasible and likely to succeed.
4. Delay of the emergency restoration actions would result in increased natural resource damages.
5. The costs of the emergency restoration actions are not unreasonable.

Emergency Restoration Actions to Be Undertaken

The Trustees determined that the following actions are needed to minimize continuing injury and/or prevent additional injury:

1. Rescuing and caching viable dislodged corals and other organisms found in and adjacent to the impact areas.
2. Removing rubble created by the grounding that is inhibiting recovery.
3. Reattaching cached biota and associated substrate to promote biological recovery.
4. Tagging/mapping of reattached biota to facilitate relocation for monitoring.
5. Monitoring to verify/evaluate emergency restoration actions.

Status of Emergency Restoration Actions To Date

The emergency restoration actions begin on October 30, 2013.